

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Revocation of the)	
License to Conduct Gambling Activities of:)	NO. CR 2008-02003
)	
Sammy Barr,)	FINDINGS, CONCLUSIONS,
Auburn Washington,)	DECISION, AND FINAL
)	ORDER IN DEFAULT
Licensee.)	

THE MATTER of the revocation of the license to conduct gambling activities of Sammy Barr having come before the Commission on March 12, 2009, the State being represented by Jerry Ackerman, Senior Counsel, Office of the Attorney General, the Commission makes the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and issues the following DECISION AND ORDER:

FINDINGS OF FACT

I.

The Washington State Gambling Commission issued Sammy Barr the following license: Number 68-23883, Authorizing Card Room Employee Activity with Great American Casino. The license expires on June 15, 2009, and was issued subject to the compliance with state gambling laws and rules.

II.

On January 16, 2009, the Director issued administrative charges to the licensee, by certified and regular mail. The licensee did not respond to the charges. By not responding to the charges, Sammy Barr waived his right to a hearing on such charges and pursuant to RCW 34.05.440, this final order may be entered in default.

III.

- On November 20, 2008, the licensee was convicted of Rape-Victim Under 13 Years of Age. Mr. Barr is required to register as a sex offender and his sentencing is scheduled for May 1, 2009, in the state of Virginia. This conviction establishes that the licensee has failed to establish by clear and convincing evidence the necessary qualifications for licensure under RCW 9.46.153(1).
- Therefore, under RCW 9.46.075(1), (4), and (8) and WAC 230-03-085(1), (2), and (8) grounds exist to revoke Sammy Barr's license.

RCW 9.46.075 The Commission may revoke any license issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include cases wherein the licensee:

- (1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto.
- (4) Has been convicted of any crime, whether a felony or misdemeanor involving any gambling activity or physical harm to individuals or involving moral turpitude.
- (8) Fails to prove, by clear and convincing evidence, that he is qualified in accordance with this chapter.

WAC 230-03-085 We may revoke any license when the licensee:

- (1) Commits any act that constitutes grounds for revoking licenses under RCW 9.46.075.
- (2) Has been convicted of, or forfeited bond on a charge of, or pleaded guilty to a misdemeanor or felony crime involving physical harm to individuals. "Physical harm to individuals" includes any form of criminal assault, any crime involving a threat of physical harm against another person, or any crime involving an intention to inflict physical harm on another person.
- (8) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by: (a) Prior activities; or (b) Criminal record; or (c) Reputation; or (d) Habits; or (e) Associations.

RCW 9.46.153 Applicants, licensees-Responsibilities and duties

It shall be the affirmative responsibility of each licensee to establish by clear and convincing evidence the necessary qualifications for licensure of each person required to be qualified under this chapter.

IV.

CONCLUSIONS OF LAW

The circumstances specified in the Findings of Facts in section III above constitute grounds for the revocation of Sammy Barr's license to conduct gambling activities under the authority of RCW 9.46.075 and WAC 230-03-085.

DECISION AND ORDER

The Washington State Gambling Commission HEREBY ORDERS: Sammy Barr's license to conduct card room employee activities is revoked.

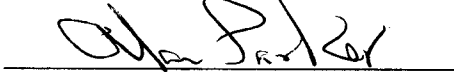
DATED this 12th day of March, 2009.



PEGGY ANN BIERBAUM, Chair

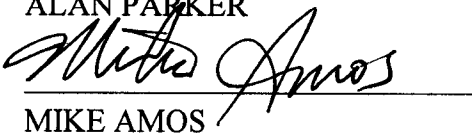


KEVEN ROJECKI, Vice Chair



ALAN PARKER

JOHN ELLIS



MIKE AMOS

NOTICE: RCW 34.05.440(3) provides that within seven (7) days after service of a default order the party against whom it was entered may file a written motion requesting that the order be vacated and stating the grounds relied upon.

Motions must be mailed to:

Washington State Gambling Commission
Communications & Legal Division
PO Box 42400
Olympia, Washington 98504-2400

Or delivered in person or via private courier:

Washington State Gambling Commission
Communications and Legal Division
4565 7th Avenue SE
Lacey, Washington 98503